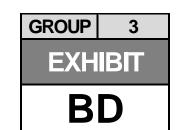


#### NATIONAL TRANSPORTATION SAFETY BOARD - Public Hearing



Conrail Derailment in Paulsboro, NJ with Vinyl Chloride Release

Agency / Organization

New Jersey Dept. of Health

Title

New Jersey Dept. of Health 2012 (PEOSH) Complaint Investigation into the Paulsboro Fire Dept.

Docket ID: DCA13MR002



### State of New Jersey

#### DEPARTMENT OF HEALTH AND SENIOR SERVICES

DIVISION OF EPIDEMIOLOGY, ENVIRONMENTAL AND OCCUPATIONAL HEALTH PO BOX 369 TRENTON, N.J. 08625-0369

CHRIS CHRISTIE Governor

www.nj.gov/health

KIM GUADAGNO Lt. Governor

MARY E. O'DOWD, M.P.H. Commissioner

May 23, 2012

John Salvatore, Administrator Borough of Paulsboro 1211 Delaware Street Paulsboro NJ 08066

Re:

Inspection Number:

316088327

Complaint Number: Programmed

Inspection Date:

January 17, 2012

Inspection Site:

Paulsboro Fire Department

#### Dear Mr. Salvatore:

This is to confirm that a follow up inspection and/or documentation was received regarding the violations found on the above referenced Order to Comply.

Please be advised that as a result of the above inspection the violations identified on that date were abated. Based on this information this case will be closed at this time.

Thank you for your cooperation and continuing concern regarding your efforts to maintain a safe and healthful workplace.

Sincerely,

Michael A. Coyne, Program Coordinator

Public Employees' Occupational

Safety & Health

c: Howard Black, NJDLWD Employee Representative

## ACTIVITY SHEET

DATE/TIME	ACTIVITY
	Can to police the anotes . Three Lieuardeno 856. ** PII ** (LM)
19112	Can to M. Liceochio - LM
1/10/12	Cous to MI - ext. Lin we Burners how John Salvatore
Stinh	State will Team advisorable of Court
413/12	Spake we creek treesdeld. Awayed mayers an Cor 1/17
11/12	Inspection - Expended to Billy Sylvet Studies # 3160884167
silists	Completed paperner, to KB
5/1/18	Revised to make on to release
3/14/12	-Carret, rest meserge Ernel from curretures Stephenson re CTC GOG. ** PII **
SIBILE	Spru to G. Stephenson ve BBP crowbin - emerced fright
aladia Alibam	spoke with Mr. Salvatare - council meeting on April 3rd going to be discussed then to see if they have what
	needed or if they need on extension
1/1 <b>8</b> /19	1est message w/ secretary to have Hr Sahatere call
4/13/12	lest message wi secretary to have Hr sahatore call me back
4/16/12	Balled extremeran beddie
	Note Inspection was conducted who formal complaint
ĺ	So no complainant was notified of extension request. & opore with Mr Salvatare to let him know that
5/9/3013	obore may an ounced to let vin a on situ
5/16/2012	Rundardenent materal postmund May 11"
5/21/12	Reviewed markeral, auceptender, No comparant to notify. More to
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(Rev. 02/08)

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## State of New Jersey

## DEPARTMENT OF HEALTH AND SENIOR SERVICES CONSUMER, ENVIRONMENTAL AND OCCUPATIONAL HEALTH SERVICE

PO BOX 369 TRENTON, N.J. 08625-0369

CHRIS CHRISTIE Governor

www.nj.gov/health

MARY E. O'DOWD, M.P.H. Commissioner

Asatement material received 5/11/12

W Items 1s+ Zs asafed

Complanment annymois. Unable to

Stalls

Pursuant to an agreement with the Department of Labor and Workforce Development (DLWD), your request for a delay in complying with the Order to Comply is warranted due to the consideration by the Public Employees Occupational Safety and Health (PEOSH) Program of the following factors:

- 1. A good faith compliance effort has been demonstrated.
- 2. The employee representatives and /or affected employees have been given notice of their right to comment on the request for extension by the employer.

The final determination on your abatement date extension request is based on your documented agreement to comply with the Order to Comply by May 16, 2012. Followup actions will be taken to confirm the abatement either upon notice of completion or within five days of the new abatement date. If compliance has not been effected, penalties may be issued by the DLWD within 20 days of such determination.

Should you require additional assistance with your efforts to maintain a safe and healthful workplace for your employees, please contact the PEOSH Program at (609) 984-6554.

Sincerely,

Michael A. Coyne, MS

Program Coordinator
Public Employees Occupational Safety and Health Program

c: Howard Black, NJDLWD Chief John Licciardello, Paulsboro Fire Department Larry Moran Jr., Paulsboro Fire Department



#### PAULSBORO FIRE DEPARTMENT

1502 SWEDESBORO AVE. PAULSBORO, NJ 08066

Mike Licciardello - Fire Chief

609

To: Patrick Bost – Compliance Officer

On Tuesday, April 10<sup>th</sup>,2012, the Paulsboro Fire Department held a HAZMAT AWARENESS & OPERATIONS drill at their fire station. This drill was held to comply with the 'Notice of Order to Comply, Inspection # 316088327. The 3 hour drill was conducted by Robert Hill, head Instructor of the Gloucester County Fire Training Academy. All firefighters were given a certificate to verify their training and attendance. These can be supplied to you if need be.

To comply with the other issue, Hepatitis Vaccine Compliance, I am including a list of all employees who have signed off on their status. Once again the actual "sign off sheets" are filed in the Office of the Chief. They may be viewed by you at your request.

Per our phone conversation, I hope this puts us in compliance with your requests. Should you have any questions or need more information. please contact me at 609. \*\*\* PII\*\*

012 MAY 16 AM 11

\*\*PII\*\*

Gary Stevenson - Asst. Chief &

Councilman - Public Safety

DOH1525

5-10-12



## PAULSBORO FIRE DEPARTMENT

1502 SWEDESBORO AVE. PAULSBORO, NJ 08066

Mike Licciardello – Fire Chief

609 \*\* PII \*\*

Hepatitis Vaccination Report	Vaccine Received	Form Signed
** PII **		4/22/2012
** P I I **	3/3/2004	2/10/2003
** P I I **		4/22/2012
** P I I **		4/22/2012
** P I I **	1996	2/10/2003
** P I I **		4/22/2012
** P I I **		2/12/2003
** P I I **	7/3/2003	6/2/2003
** P I I **	1990	2/10/2003
** P I I **	6/26/2003	2/10/2003
** P I I **		4/22/2012
** P I I **	6/26/2003	6/11/2003
** P I I **		4/22/2012
** P I I **	6/26/2003	6/2/2003
** P I I **	1990	2/10/2003
** P I I **		4/22/2012
** P I I **		4/22/2012
** P I I **	1996	2/8/2003
** P I I **	6/26/2003	6/2/2003
** P I I **	6/26/2003	2/12/2003
** P I I **	6/26/2003 DOH1526	3/3/2003

# **Fax**

To:	Patrick B	ost	From:	Gary Stevens	on	
Fax:	609** PII**		Pages	3 (including co	over)	
Phone:	609-** PII **		Date:	May 10 <sup>th</sup> , 2012		
Re:	Inspection #3	16088327	cc:			
x Urgen	t 🗆 For Review	☐ Please Comn	nent	□ Please Reply	☐ Please Rec	ycle
faxed Pauls have sent had ti	ments: Patrick, post the information of the information of the reached a your receive the reached a your receiver the years and your receiver	rmation you boro Fire E h the regule for to your get this to your to for the thin to your the following the follow	u req Deparation office ou.	uired of us rtment) to as set forti ce by Pric	s (Borough show that h. I have a prity Mail.	h of we also We

DOH1527 / \*\* PII \*\*

[Street Address] [City, ST Zip Code] [phone] [fax] [Web address]

## **Paulsboro Fire Department**

# Fax

gcsteven

To:	Patrick Bost	From: Gary Stevenson
Faxc	609.** PII **	Pages 3 (including cover) :
Phone:	609 ** PII **	Date: May 10 <sup>th</sup> , 2012
Re:	Inspection #31608832	27 cc:
x Urgen	t 🗆 For Review 🗀 Please (	Comment   Please Reply   Please Recycle
faxed Pauls have sent	d you the information sboro & Paulsboro Fire complied with the re	conversation last week, I have you required of us (Borough of re Department) to show that we gulations set forth. I have also our office by Priority Mail. We to you.
	be reached at 609 you received this	PII** Please confirm with me fax. My email address is



#### PAULSBORO FIRE DEPARTMENT

1502 SWEDESBORO AVE. PAULSBORO, NJ 08066

Mike Licciardello - Fire Chief

609-

To: Patrick Bost – Compliance Officer

On Tuesday, April 10<sup>th</sup>,2012, the Paulsboro Fire Department held a HAZMAT AWARENESS & OPERATIONS drill at their fire station. This drill was held to comply with the 'Notice of Order to Comply, Inspection # 316088327. The 3 hour drill was conducted by Robert Hill, head Instructor of the Gloucester County Fire Training Academy. All firefighters were given a certificate to verify their training and attendance. These can be supplied to you if need be.

To comply with the other issue, Hepatitis Vaccine Compliance, I am including a list of all employees who have signed off on their status. Once again the actual "sign off sheets" are filed in the Office of the Chief. They may be viewed by you at your request.

Per our phone conversation, I hope this puts us in compliance with your requests. Should you have any questions or need more information, please contact me at 609 \*\*\* PII\*\*

Gary Stevenson – Asst. Chief &

Councilman – Public Safety

DOH1529

5-10-12



## **PAULSBORO FIRE DEPARTMENT**

1502 SWEDESBORO AVE. PAULSBORO, NJ 08066

Mike Licclardello - Fire Chief

609-\*\*\* PII\*

Hepatitis Vaccination Report	Vaccine Received	Form Signed
** P I I **		4/22/2012
** P I I **	3/3/2004	2/10/2003
** P I I **		4/22/2012
** P I I **		4/22/2012
** P I I **	1996	2/10/2003
** P I I **		4/22/2012
** P I I **		2/12/2003
** <b>PII</b> **	7/3/2003	6/2/2003
** P I I **	1990	2/10/2003
** P I I **	6/26/2003	2/10/2003
** P I I **		4/22/2012
** P I I **	6/26/2003	6/11/2003
** P I I **		4/22/2012
** P I I **	6/26/2003	6/2/2003
** P I I **	1990	2/10/2003
** P I I **		4/22/2012
** P I I **		4/22/2012
** P I I **	1996	2/8/2003
** P I I **	6/26/2003	6/2/2003
** P I I **	6/26/2003	2/12/2003
** P I I **	6/26/2003 DOH1530	3/3/2003



N. J. Dept. of Labor + Workforce Dev. Divisor of Public Safety + Occupational Health Office of Public Employees Occupational Health

Athr. Patrick Bost

P.O. Box 368 Trenton, N.J. 08625-0386

Chief John Licciardello Paulsboro Fire Department 1502 Swedesboro Road Paulsboro, NJ 08066

Paulsboro Fire Association

Paulsboro Fire Association

Fw: Borough o	f Paulsboro - Inspection #316088327
Michael A Coy	1
to:	
Patrick.Bost	
04/04/2012 01:	23 PM
Cc:	
keith.bobrowsk	i
Show Details	
NJDHSS, PEÓSI (609) F (609) F michael.coyne	e, Program Coordinator H Program Phone AX ** P I I ** hael A Coyne/NJDHSS on 04/04/2012 01:22 PM
From:	"Michael Angelini" ** PII **
To:	** P I I **
Cc:	"John Salvatore" ** PII **
Date:	04/04/2012 12:21 PM
Subject:	Borough of Paulsboro - Inspection #316088327

#### Mr. Coyne,

This will confirm our telephone conversation of this morning wherein you requested that I email you regarding Paulsboro's request for an extension of time to correct the abatement as issued regarding inspection # 316088327 with an issuance date of March 9, 2012. While my understanding is the Paulsboro Fire Department has been working on the corrections they are not done yet and may not be done by the 15<sup>th</sup> of April, which is the date for the violations to be abated. On behalf of the Borough of Paulsboro I would request an extension of thirty (30) days to complete the corrections. Furthermore, in addition to this email I will send a letter to Mr. Bost the Compliance Officer who I understand is on vacation this week notifying him of this and requesting the extension. Thank you for your kind assistance and courtesy in this matter.

Michael Angelini, Solicitor Borough of Paulsboro

Michael A. Angelini, Esquire Angelini, Viniar & Freedman, LLP 70 Euclid Street Woodbury, NJ 08096 (856) \*\* PII \*\* (856)

The information contained in this e-mail is privileged and confidential and intended only for the use of the individual(s) and/or entity(ies) named above. If you are not the intended recipient, you are hereby notified that any unauthorized disclosure, copying, distribution or taking of any action in reliance on the contents of the e-mailed materials is strictly prohibited and review by any individual other than the intended recipient shall not constitute waiver of the attorney-client privilege. If you have received this e-mail in error, please immediately notify us by telephone at (856) 853-8500 (collect) or by return e-mail and then delete this message from your computer. Thank you.

## ANGELINI, VINIAR & FREEDMAN, L.L.P.

Attorneys at Law

70 Euclid Street Woodbury, NJ 08096

Michael A. Angelini\* Carl B. Viniar\* Richard P. Freedman+\* James P. Pierson Jeffrey A. Daniels Alicia D. Hoffmeyer\*

(856) 853-8500 FAX (856) 384-1230

Cherry Hill Office: 413 Route 70 East Cherry Hill, NJ 08034 (856) 429-0020 FAX (856) 429-0070

\*Members of NJ & PA Bars

+ L.L.M. in Taxation

April 4, 2012

Patrick Bost, Compliance Officer New Jersey Department of Labor and Workforce Development Division of Public Safety and Occupational Safety and Health Office of Public Employees Occupational Safety and Health P.O. Box 386 Trenton, NJ 08625-0386

Re:

My Client: Borough of Paulsboro

Notice of Order to Comply Inspection Number: 316088327 Issuance Date: March 9, 2012

Inspection Site: Paulsboro Fire Department

Dear Mr. Bost:

Please be advised that I serve as Borough Solicitor for the Borough of Paulsboro and I am writing in response to the Notice of Order to Comply and Request for Abatement, which you issued on March 9, 2012.

It is my understanding that the Paulsboro Fire Department has been working to correct the problems but the abatement may not be completed by the time listed in your Order which is April

Therefore, on behalf of the Borough of Paulsboro and the Paulsboro Fire Department, I am requesting an extension of time for an additional thirty (30) days so that the matters can been

On today's date, I called you to discuss this but was told that you were on vacation and spoke to one of your colleagues, Michael Coyne, who suggested that I email him and separately write to you. If you would care to discuss this matter further, please feel free to contact me at your

DOH1534

ck Bost, Compliance Officer

.... Jersey Department of Labor and
Workforce Development
April 4, 2012
Page Two

Thank you for your kind courtesy and cooperation.

Very truly yours,

ANGELINI, VINIAR & FREEDMAN, LLP

By:

Michael A. Angelini, Solicitor Borough of Paulsboro

MAA:dls

Cc: John Salvatore, Borough Administrator

ANGELINI, VINIAR & FREEDMAN, L.L.P.

Attorneys at Law

70 Euclid Street

Woodbury, NJ 08096

Mailed From 08098

Patrick Bost, Compliance Officer

Dopto Houlth New Jersey Department of Labor and Workforce Development-Division of Public Safety and Occupational Safety and Health Office of Public Employees Occupational Safety and Health

PO BOX 3LA Trenton, NJ 08625-0386

described and the second of th

#### Data Entry for Citations Case # 316088327

Paulsboro Volunteer Fire Association

January 11 & 17, 2012

Patrick Bost, CSHO

Chief mike Liceia idel

Contact #1 Joe Salvatore - 856-\*\* PII \*\*

Citation	Abatement Due Date	Comments (extension date)	Date Abated
Citation 1, Item 1s 29 CFR 1910.120(q)(6)(ii)  Haz Mat Ops Training	4/15/2012		
Citation 1, Item 2s 29 CFR 1910.1030(h)(1)(ii)(B) Hep B Vaccination Records	4/15/2012		

called 3/30 @ 1:18pm spoke w/ Salvatore called 5/9 @ 10AM -

1211 Delaware Sireet Paulsboro, NJ 08066 Phone: 856-423-1500 Fax: 856-423-9117 jsalvalore@paulsboronj.org

## **Borough of Paulsboro**

# **Fax**

10:	іліке Соуле	From:	John S. Salvatore, A	- Curricustrator
Fax:	609.** PII **	Date:	04/13/12	
Phone:		Pages:	3	
Re:	Paulsboro FD	CC:		
□ Urge	ent 🛘 For Review	☐ Please Comment	☐ Please Reply	☐ Please Recycle
-Comm	ents:		· · · · · · · · · · · · · · · · · · ·	

#### ANGELINI, VINIAR & FREEDMAN, L.L.P.

Altorneys at Law

70 Euclid Street Woodbury, NJ 08096

Michael A. Angelini\* Carl B. Viniar\* Richard P. Freedmant\* James P. Pierson Jeffrey A. Daruels Alicia D. Hoffmeyer

(856) 853-8500 FAX (856) 384-1230 Cherry Hill Office:

413 Route 70 East Cherry Hill, NJ 08034

(856) 429-0020 FAX (856) 429-0070

"Members of NI & PA Bars

+ L.L.M. in Taxation

April 4, 2012

Patrick Bost, Compliance Officer New Jersey Department of Labor and Workforce Development Division of Public Safety and Occupational Safety and Health Office of Public Employees Occupational Safety and Health P.O. Box 386 Trenton, NJ 08625-0386

My Client: Borough of Paulsboro

Notice of Order to Comply

Inspection Number: 316088327

Issuance Date: March 9, 2012

Inspection Site: Paulsboro Fire Department

Dear Mr. Bost:

Please be advised that I serve as Borough Solicitor for the Borough of Paulsboro and I am writing in response to the Notice of Order to Comply and Request for Abatement, which you issued on March 9, 2012.

It is my understanding that the Paulsboro Fire Department has been working to correct the problems but the abatement may not be completed by the time listed in your Order which is April 15, 2012.

Therefore, on behalf of the Borough of Paulsboro and the Paulsboro Fire Department, I am requesting an extension of time for an additional thirty (30) days so that the matters can been corrected.

On today's date, I called you to discuss this but was told that you were on vacation and spoke to one of your colleagues, Michael Coyne, who suggested that I email him and separately write to you. If you would care to discuss this matter further, please feel free to contact me at your convenience.



Patrick Bost, Compliance Officer New Jersey Department of Labor and Workforce Development April 4, 2012 Page Two

Thank you for your kind courtesy and cooperation.

Very truly yours,

ANGELINI, VINIAR & FREEDMAN, LLP

By:

Michael A. Angelini, Splicitor Borough of Paulsboro

MAA:dls

Cc: John Salvatore, Borough Administrator

Message
Revak, James
to:
Patrick.Bos
03/14/2012 08:46 AM
Show Details

History: This message has been replied to. Pat,

Paulsboro Councilman, Gary Stephenson left a message yesterday for you to call him regarding the OTC issued to the fire department. He's been tasked with addressing the citations.

His number is 609-

Thanks,

Jim

James G. Revak, Assistant Chief
NJ Department of Labor & Workforce Development
Public Employees Occupational Safety & Health
John Fitch Plaza
Trenton, NJ 08625-0386
(609) \*\* PII\*\*





## State of New Jersey

## DEPARTMENT OF HEALTH AND SENIOR SERVICES

CONSUMER, ENVIRONMENTAL AND OCCUPATIONAL HEALTH SERVICE PO BOX 369 TRENTON, N.J. 08625-0369

CHRIS CHRISTIE

Governor

KIM GUADAGNO

Lt. Governor

www.nj.gov/health

MARY E. O'DOWD, M.P.H. Commissioner

www.nj.gov

**MEMORANDUM** 

TO:

Howard Black, Director

Division of Public Safety and Occupational Safety and Health New Jersey Department of Labor and Workforce Development

FROM:

Michael A. Coyne, MS

Program Coordinator

Public Employees Occupational Safety and Health Program

SUBJECT:

Violations of the PEOSH Act

Inspection # 316088327

Complaint # Programmed Inspection

DATE:

March 2, 2012

I certify that the items on the attached Order to Comply are violations of N.J.S.A. 34:6A-25 et seq. In addition, a copy of the contact information for the complainant and/or employee representative is attached.

Attachments

#### Case # 316088327 Complaint #

## Employee Representative \*\* PII\*\*

Paulsboro Fire Association 651 Mantua Avenue Paulsboro, NJ 08066 New Jersey Department of Labor and Workforce Development

Division of Public Safety and Occupational Safety and Health Office of Public Employees Occupational Safety and Health

PO Box 386

Trenton, NJ 08625-0386 Phone: (609) 633-3896

#### NOTICE OF ORDER TO COMPLY

To: John Salvatore, Administrator Borough of Paulsboro 1211 Delaware Street Paulsboro, NJ 08066

Inspection Number: 316088327 Complaint Number: Programmed

Reason: Programmed

Inspection Dates: January 11 & 17, 2012

Issuance Date: March 9, 2012 Compliance Officer: Patrick Bost

Inspection Site: Paulsboro Fire Department

Paulsboro Volunteer Fire Association

1502 Swedesboro Road Paulsboro, NJ 08066

The Violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description below.

The enclosed Order to Comply describes violations of the Public Employees' Occupational Safety and Health Act. The violations referred to in this Order must be abated by the dates listed unless within 15 working days (excluding weekends and State holidays) from the issuance of this Order to Comply you mail a notice of intent to contest to the Department of Labor and Workforce Development at the address shown above. Please refer to the enclosed Public Employees' Occupational Safety and Health Act which outlines your rights and responsibilities and which should be read in conjunction with this form. The Order will become the Final Order if no notice of intent to contest is filed as provided for in the Act or, if contested, the Order is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Notice and the Order to Comply be posted immediately in a prominent place at or near the location of each violation cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Order must remain posted until each violation cited herein has been abated, or for 15 working days (excluding weekends and State holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Office of Public Employees' Occupational Safety and Health during the 15 working day contest period by contacting the office shown above. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s).

If you are considering a request for an informal conference to discuss any issues related to the Order to Comply, a written letter of intent to contest must be submitted to the Office of Public Employees' Occupational Safety and Health within 15 working days of issuance of the Order. The contest period is not interrupted by a request for an informal conference.

If you decide to request an informal conference, the Office of Public Employees' Occupational Safety and Health will schedule the conference, which will be conducted within 30 days of receipt of the request. Employees and/or employee representatives will be notified of their right to attend the conference. The Office of Public Employees' Occupational Safety and Health will arrange for representatives of the Department of Health and Senior Services to conduct conferences requested from Orders to Comply issued pursuant to a certification from the Commissioner of Health and Senior Services that an employer violation has been determined to exist within the Department of Health and Senior Services' jurisdiction under the Act.

Any and all supporting documentation of existing conditions as well as any abatement steps taken thus far must be brought to the conference. If conditions warrant, an informal settlement agreement, which amicably resolves this matter without litigation or contest may be entered into.

Right to Contest - You have the right to contest this Order to Comply. You may contest all citation items or only individual items. You may also contest abatement dates without contesting the underlying violations. <u>Unless you inform the Office of Public Employees' Occupational Safety and Health in writing that you intend to contest the citation(s) and/or abatement dates within 15 working days of the issuance of this Order to Comply, then this Order to Comply shall become a final order.</u>

Penalties - The Act provides that if the time for compliance with an order of the Commissioner elapses, and the employer has not made a good faith effort to comply, the Commissioner shall impose a civil administrative penalty of up to \$7,000 per day for each violation of a provision of N.J.S.A. 34:6A-25 et seq., or of a standard or regulation promulgated under that act, or of an order to comply. Any employer who willfully or repeatedly violates the requirements of this section or any standard, rule, order or regulation promulgated under that act shall be assessed a civil administrative penalty of up to \$70,000 for each violation. Penalties imposed under this section may be recovered with costs in a civil action commenced by the Commissioner by a summary proceeding under "the penalty enforcement law" (N.J.S.A. 2A:58-1 et seq.) in the Superior Court or a municipal court, either of which shall have jurisdiction to enforce "the penalty enforcement law" in connection with this act. If the violation is of a continuing nature, each day during which it continues after the date given for compliance in accordance with the order of the Commissioner shall constitute an additional separate and distinct offense. If this penalty remains unpaid for more than 30 days, this order shall be recorded on the Judgement docket of the Superior Court.

Penalties will be based upon factors such as gravity of the violation, the probability that an injury or illness would result from the hazard, the good faith efforts of the employer to comply, the presence of meaningful safety and health programs and the history of previous violations.

Request to Delay Issuance of Penalty Order to Comply – When an employer submits a request to delay the issuance of an Order to Dobb 5 stablishing penalties, the employer shall

submit such written request 10 calendar days prior to the abatement date(s) established in the original Order to Comply.

Notification of Corrective Action - For <u>each</u> violation which you do not contest, you are required by 29 CFR 1903.19 to submit an Abatement Certification to the New Jersey Department of Health and Senior Services, PEOSH Program. This certification <u>must</u> be sent by you prior to the abatement date indicated on the citation. For Willful and Repeat violations, documents (example: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as Serious and the citation states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint, no later than 180 days after the employee first had knowledge that such discrimination occurred, with the Office of Public Employees' Occupational Safety and Health at the address shown above.

Employer Rights and Responsibilities - The enclosed copy of the Public Employees' Occupational Safety and Health Act outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees - The law gives an employee or an employee representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the Office of Public Employees' Occupational Safety and Health at the address shown above and postmarked within 15 working days (excluding weekends and State holidays) of the issuance of this Order to Comply.

Howard Black, Director
Division of Public Safety and Occupational Safety and Health

BY

FOR John Patterson, Chief

Office of Public Employees Occupational Safety and Health

To: John Salvatore, Administrator

Borough of Paulsboro 1211 Delaware Street Paulsboro, NJ 08066 **Inspection Number:** 316088327

Reason: Programmed

Inspection Dates: January 11 & 17, 2012

Issuance Date: March 9, 2012 Compliance Officer: Patrick Bost

Inspection Site: Paulsboro Fire Department

Paulsboro Volunteer Fire Association

1502 Swedesboro Road Paulsboro, NJ 08066

Citation 1 Item 1s

Type of Violation: Serious

29 CFR 1910.120(q)(6)(ii): Employees did not receive training based on the duties and functions to be performed by each employee during a hazardous materials operation.

LOC: Facility Wide

Employees did not receive first responder operations training or demonstrate competency annually.

Date By Which Violation Must be Abated:

4/15/2012

PER DIEM PENALTIES BEGINNING ON 4/16/2012

\$2380.00

Citation 1 Item 2s Type

Type of Violation: Serious

29 CFR 1910.1030(h)(1)(ii)(B): The medical record for an employee with occupational exposure did not include a copy of the employee's hepatitis B vaccination status, including the dates of all the hepatitis B vaccinations or any medical records relative to the employee's ability to receive vaccination as required by 29 CFR 1910.1030(f)(2).

LOC: Facility Wide

Hepatitis B vaccination records were not available for Firefighters who are occupationally exposed to bloodborne pathogens.

Date By Which Violation Must be Abated:

4/15/2012

PER DIEM PENALTIES BEGINNING ON 4/16/2012

\$2380.00

To: John Salvatore, Administrator

Borough of Paulsboro 1211 Delaware Street Paulsboro, NJ 08066 Inspection Number: 316088327

Reason: Programmed

Inspection Dates: January 11 & 17, 2012

Issuance Date: March 9, 2012 Compliance Officer: Patrick Bost

Inspection Site: Paulsboro Fire Department

Paulsboro Volunteer Fire Association

1502 Swedesboro Road Paulsboro, NJ 08066

Signed on March 9, 2012 pursuant to the authority vested by law in the New Jersey Department of Labor and Workforce Development.

Howard Black, Director

Division of Public Safety and Occupational Safety and Health

RY.

En: John Patterson, Chief

Office of Public Employees Occupational Safety and Health

DISCRIMINATORY ACTS AGAINST EMPLOYEES ARE UNLAWFUL – N.J.S.A. 34:6A-45 — No person shall discharge, or otherwise discipline, or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this section. Any employee who believes that he has been discharged, disciplined, or otherwise discriminated against by any person in violation of this section, may within 180 days after the employee first has knowledge such violation did occur, file a complaint with the Commissioner of Labor and Workforce Development alleging that discrimination.

c: Employee Representative

**To**: John Salvatore, Administrator Borough of Paulsboro

1211 Delaware Street Paulsboro, NJ 08066 Inspection Number: 316088327

Reason: Programmed

Inspection Dates: January 11 & 17, 2012

Issuance Date: March 9, 2012 Compliance Officer: Patrick Bost

Inspection Site: Paulsboro Fire Department

Paulsboro Volunteer Fire Association

1502 Swedesboro Road Paulsboro, NJ 08066

#### EMPLOYER REQUIREMENTS FOR ABATEMENT VERIFICATION

Employers must provide the following information to verify abatement of PEOSH citations:

- 1. A statement noting whether or not correction has been accomplished for each citation item and instance identified on the Citation.
- 2. A description of the measures taken to accomplish correction; and
- 3. The date the correction was made.

A blank Abatement Verification Letter is enclosed for your use in meeting this requirement. Supporting documentation e.g., drawings/photographs, purchase/work orders, air sampling results, or any other related information may be included to assist us in verifying abatement. If additional space is needed, you may attach a continuation sheet or include a more detailed letter.

If abatement cannot be accomplished by the date identified on the citation, please call the Compliance Officer (listed above right) at (609) 10 calendar days before the abatement date for appropriate procedures to modify the abatement date(s).

**To**: John Salvatore, Administrator Borough of Paulsboro

1211 Delaware Street Paulsboro, NJ 08066 **Inspection Number:** 316088327

Reason: Programmed

Inspection Dates: January 11 & 17, 2012

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Paulsboro Volunteer Fire Association

1502 Swedesboro Road Paulsboro, NJ 08066

TO: Michael Coyne, Program Coordinator

PEOSH Program

NJ Dept. of Health & Senior Services

P.O. Box 369

Trenton, NJ 08625-0369

#### ABATEMENT VERIFICATION LETTER

Listed below is the corrective action taken and date corrected for each citation by item and instance number.				

To: John Salvatore, Administrator Borough of Paulsboro 1211 Delaware Street Paulsboro, NJ 08066

Inspection Number: 316088327 Reason: Programmed Inspection Dates: January 11 & 17, 2012 Issuance Date: March 9, 2012

Compliance Officer: Patrick Bost

Inspection Site: Paulsboro Fire Department

Paulsboro Volunteer Fire Association

1502 Swedesboro Road Paulsboro, NJ 08066

	_				 
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,					
	-				
Certification of Abatement R	Response by:				
Title:			<u>,</u>	,	
Date:					

## Fire Station Inspection Checklist

Date: / / / / /	<u>L</u>	PEOSH Case#:	752880115
ERAL INFORMATION			
Department Name:	Paulsto	Fire Dupt	
	(Stre	eet)	
(City)	(State)	(Zip)	(Telephone #)
Type of Department:	Municipal		eerCombined
Fire District (Name) Employer Name:			
	(Stre		
(City)	(State)	(Zip)	(Telephone #)
Name of Volunteer Chie			1 #:
Union Representative:			
	(Stree		<del> </del>
(City)	(State)	(Zip)	(Telephone #)
Give the <u>total number</u> fo	or the following:		· .
7 Fire Stations		Engine Companies	
Truck Compar	nies <u>5</u>	Pieces of Firefightin	ig Apparatus 4 Amyst
Paid Personne	1 25	_Volunteer Personn	el C Fruits
	DOM	15522011	

12 day 2012

#### MEDICAL EVALUATION - 29 CFR 1910.134(e)

	♥ REQ	UEST COPY OF THE R	OSTER OF FIR	EFIGHTERS	
	<b>▼</b> REQUEST COPY O	F THE PLHCP MEDICA	L DETERMINA	TION FOR FI	REFIGHTERS
1.	Have all firefighters	required to wear SCBA (29 CFR 1910.	had a medica 134(e)(1))	l evaluation?	(Yes/No)
2.	their ability to wear a				
	Using the que	stionnaire (Yes/No)	Medical Eva	duation (Yes/	'No)
	Did firefighter re	eceive a copy of the dete	rmination (29 (	CFR 1910.134	4)? <b>(Yes/No)</b>
3.	Who is the PLHCP?				
	Name: Ruch	brent Medical			<del> </del>
	Pour	-0- 0W			<del></del>
		(Street)			
	(City)	(State)	(Zip)	(Telephon	e #)
FIT '	(e)(5)(i)(C) the expe (e)(5)(i)(D) addition <b>TESTING - 29 CFR 1910</b>	cted physical work effort al protective equipment	1 - 1	;/No) ;/No)	
	<b>◆</b> GET	A COPY OF THE CURRI	ENT FIT-TEST	RECORDS	
1.	Have all firefighters re (29 CFR 19 List names on back	quired to wear SCBA p 10.134(f)(2)) (Yes/No c of those who have not pas	· <b>)</b>		
2.	Review Fit-Testing Re	cords - 29 CFR 1910.1	34(m)(2)(i) - Do	oes the Reco	rd Include?
	a. Name of ee teste b. Type of fit test p c. Specific make an d. Date of test (m)(2 e. Pass or fail (m)(2	erformed (m)(2)(i)(B) ad model of face piece teste 2)(i)(D)	ed (m)(2)(i)(C)	(Yes/No) (Yes/No) (Yes/No) (Yes/No) (Yes/No)	
3.	Is the fit test protocol (29 G	used the same as one CFR 1910.134(f)(5))	found in Appe	Ye xibn	es/No)
4.	Which fit test protocol	are they using? $\frac{1}{100}$	the Cart		
5.	Are SCBA being fit test	in negative pressures	<b>node?</b> (29 CFR	1910.134(f)(8)(i	)) (Yes/No)

NIA

7.	Are SCBA's alarmed at 20-25% of rated time? (FIVE MINUTES) (12:100-10.10(c)(2)) (Yes/No)
8.	Are there buddy breathing devices? (Yes No)
	If so, are they part of the original design of the respirator? (Yes/No) NOTE: If the device is not part of the original design then the NIOSH certification has been voided. This would be a violation of 12:100-10.10(c)(2).
9.	Do SCBA's purchased after January 4, 1993 comply with NFPA 1981-1987? (12:100-10.10(c)(1)) (Yes/No)
	VISUALLY INSPECT SCBA BOTTLES  (minimum 2000 psi on a 2216 psi bottle or 4000 psi on a 4500 psi bottle)
10.	Are all gauges on cylinders at least 90% full? (29 CFR 1910.134(h)(3)(iii)) (Yes/No)
11.	Are bottles free from deep scratches or cuts? (29 CFR 1910.134(h)(3)(ii)) (Yes) No)
12.	Are all hydrotest dates current? (29 CFR 1910.134(i)(4)(i)) (Yes/No)
13.	Are bottles hydrotested as per 49 CFR 178 (29 CFR 1910.134(i)(4)(i))  (Steel or Al - 5 years hydrotest date is stamped on the top of the bottle)  (Composite - 3 years hydrotest date is stamped on the neck below the valve or marked on the side label)  NOTE: Composite bottles more than 15 years old cannot be used  **CHECK DOCUMENTATION*
	Cylinder Number Hydro Date
	VISUALLY INSPECT SCBA FACE MASKS AND HOSES
14.	Are face pieces clean? (29 CFR 1910.134(h)(ii)) (Yes) No)
15.	Are all straps free from fray or other obvious damage? (29 CFR 1910.134(h)(ii)) (Yes/No)
16.	Is the number on the face piece flexible with no cracks or deformities?  (29 CFR 1910.134(h)(ii)) (Yes/No)
17.	Are inhalation/exhalation valves in good condition? (29 CFR 1910.134(h)(ii)) (Yes/No)
18.	Are all SCBA's inspected monthly or after use? (29 CFR 1910.134(h)(iii)) (Yes/No)
	CHECK AND OBTAIN CURRENT SCBA INSPECTION RECORDS

#### VISUALLY CHECK CASCADE SYSTEM OR AIR COMPRESSOR

Compressors - 29 CFR 1910.134(i)(5)

	Odinproboto 25 0110 1/2/(0)
1.	Is the compressor of breathing air type? (Yes/No)
2.	Is the compressor designed and constructed so exhaust does not re-enter the system? (Yes/No)
3.	Does the compressor have in-line air purifying devices? (Yes/No)
4.	Is the compressor oil lubricated? (Yes/No)
5.	Does it have a high temp or CO alarm or both? (Circle one only)
	High Temp CO Both
6.	If only a high temperature alarm is present, is the air periodically checked to ensure that CO concentration is less than 10 ppm? (Yes/No)
	* REQUEST TO SEE COMPRESSOR LOG
	CHECK FOR ANALYSIS OF BREATHING AIR AND DATE
7.	Are personnel who fill cylinders trained 12:100-14(a)? (Yes)No)
•	IF PERSONNEL HAVE BEEN TRAINED TO FILL CYLINDERS, REQUEST TRAINING RECORDS
8.	Does training include instruction on:
	a. Hazards/precautions b. Pre-fill examination
€.	Is the charging station equipped with facilities to ensure safety, 12:100.14(b)? (Yes/No)

- Does the fill station have a fragmentation shield? (Yes)No) 10.
- Does the fill station have a facility to prevent overfilling of the SCBA bottle? (Yes/No) 11.



# State of New Jersey

#### DEPARTMENT OF HEALTH AND SENIOR SERVICES

CONSUMER, ENVIRONMENTAL AND OCCUPATIONAL HEALTH SERVICE PO BOX 369 TRENTON, N.J. 08625-0369

CHRIS CHRISTIE Governor

www.nj.gov/health

KIM GUADAGNO Lt. Governor

MARY E. O'DOWD, M.P.H. Commissioner

TO:

John Patterson, Chief

Office of Public Safety and Occupational Safety and Health New Jersey Department of Labor and Workforce Development

FROM:

Michael Coyne, Program Coordinator & Co

Public Employees Occupational Safety and Health Program

SUBJECT: Referral, Paulsboro Fire Department

DATE:

March 1, 2012

Attached is a referral regarding an anonymous complaint of potential safety violations at the Paulsboro Fire Department.

# State of New Jersey

# PUBLIC EMPLOYEES OCCUPATIONAL SAFETY AND HEALTH

### REFERRAL

S FE USE ONLY				
Complaint No.	Date Rec'd			
Date Closed	Investigator Code			
Completed By [ ] Complainant	[ ] Department			

	2. Telephone Number
	(856) 423-1500
	5. County
	Gloucester
_	
☑ Municipality ☐ School Board	Utility Authority
pecify building and exact location where alleg	ged 8. Floor and Room Number
i each building.)	
	11. County
	Gloucester
	13. Telephone Number
,	( 609 )
n unsigned complaint regarding pos	sible safety violations at the
	4/45/40
alth inspection was performed in res	ponse to this complaint on 1/1//12.
alth inspection was performed in resues were observed, the issue regardi	ng use of an SCBA by an untrained
alth inspection was performed in resues were observed, the issue regardi	ng use of an SCBA by an untrained
alth inspection was performed in resues were observed, the issue regardi	ng use of an SCBA by an untrained
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ues were observed, the issue regardi	ng use of an SCBA by an untrained
d Business Administrator that an and	onymous complaint was filed, and ere unaware of the complaint. The
d Business Administrator that an and	onymous complaint was filed, and ere unaware of the complaint. The
ues were observed, the issue regardi	onymous complaint was filed, and ere unaware of the complaint. The nt, and were informed the PEOSH
d Business Administrator that an and c Safety Committee as a cc. They we opy or permitted to view the complain	onymous complaint was filed, and ere unaware of the complaint. The nt, and were informed the PEOSH  b. Number of employees experiencing
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	☑ Municipality ☐ School Board  Decify building and exact location where alleger each building.)  In unsigned complaint regarding pose

# PUBLIC EMPLOYEES OCCUPATIONAL SAFETY AND HEALTH

REFERRAL (Continued)

STATE USE ONLY
Complaint No.

19. To your knowledge, has this complaint bee otherwise called it to the attention of, or dis ⊠ Yes ⊠ No If Yes, give the results thereof, including ar See complaint discription	scussed it with, the employer or		N)
20. Name of Union		21. Local Number	
No Union			
22. Name of Employee Representative		23. Telephone Number (856) ** PII **	
24. Title ** PII **			
25. Referred By (Print or Type) Patrick Bost	26. Signatur ** PII	27. Date March 1, 2012	
28. Street Address NJDHSS PEOSH Project, PO Box 369			
29. City, State, Zip		30. County	
Trenton, NJ 08625-0369	•	Mercer	
31. Telephone Number (609)*** PII**	32. Best Time to Contact 9-5	ot .	

To Whom It May Concern,

I have stood back and watched in horror for way to long and before someone gets really hurt I am forwarding this to you as I have a number of concerns for the safety of the firefighter members of the Paulsboro Fire Department

There are young fire fighters who have had no Firefighter I training and are permitted to wear air packs and fight fires. Attached picture number 1 & 2 shows one of those fire fighters with a pack on, but has not been SCBA certified. Individuals entering hot zones with no SCBA protection (Attached picture 3). Officers who should be leading by example enter hot zones with no SCBA protection (Attached picture 4).

In many instances Chief Officers are found to be wearing little to no gear while at incidents. (Attached pictures 5, 6 and 7). The captain and one of the chief officers just obtained their ICS 300 and 400 in 2011. The Chief Officer had been chief many years back and has held other officer positions in the not too distant past that should have required those courses to be completed prior to 2011.

Medical - There is one fire fighter who was exposed to blood borne pathogens during a drill in 2010 and has been told that the incident will be documented, however this matter is still unresolved. There appears to be no written Exposure Control Plan nor anyone assigned the duties of Exposure Control Officer. Required physicals for department personnel have not been done for almost 2 years. One fire fighter was taken to the hospital from the scene of a fire for a diabetic emergency earlier this year and department documentation on that incident was in all probability never completed.

There are many equipment issues, portable radios on the trucks that do not work, truck maintenance that is little to none, poor tire conditions on trucks, CO meters that don't work when needed, and other equipment in desperate need of attention. Also when new equipment is brought in to service there is no training given to familiarize users with this equipment. Example: new gear with GEMTOR bailout Harnesses are being purchased, however the department has had no bail out training.

There are many more pictures of incidents such as those noted that can be found on the Paulsboro Fire Department website. <a href="www.paulsborofire.com">www.paulsborofire.com</a>

Cc:

Paulsboro Public Safety Committee N.J. Division of Fire Safety PEOSH Paysbood FA

REP POL	Huz Can / Ptys	Itur ment	
BBP _	Tropoly + Minute 300 -		
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111/12 Paulsbood FA
856-** PII ** Cary - NyplAsst Civef
(Xeth - Fre Prenting)
1:45 Parael Germone - empty
2:05 Spoke to Administrator
ENSA Creak at to buch - waited at francese
2:37 Sport to UN + administrator, we free officer available
3:01 Purved Bruyspot Pie Apt - employ
DOH1562

# **Inspection Report**

CSHO Signature

Ved May 23, 2012 9:25am Rpt ID	Assignment Nr.	CSHO ID	Superv	isor ID	Inspection Nr.	1	Opt. Insp. Nr.	•
0253410	0	W2254	Y8812		316088327			
Establishment Name			Paulsboro Fir					
	edesboro Avenue			Site Phone	(856) 423-21	21   Site FA		
55555555555555555555555552	o, NJ 08066			Mail	(856) 423-212	0000000	13.55000000	
	desboro Avenue o, NJ 08066			Phone	(830) 423-21.	FA		
Controlling	,, 1 to 00000			Emplo	yer ID			
Corp Corp								
	Government			City	2520	Cot	inty 015	
Legal Entity			Previous Activit	ty (State C	Only)			
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-		15 Advance Not	tice? N	<u> </u>	Category		H. Health	
Employed in Establish	3333333333	15 Advance No.		es	Primary SIC		9224	
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Controlled By Employe	31	Interviewed?	22.50.000.000.000.000.000.000.000		Inspected			
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nspection Type H	. Programmed Pla	nned Reason	i No Inspection	i				
Scope of Inspection A.								
lassification								
Strategic Initiatives								
National Emphasis								
ocal Emphasis								
<u> </u>								30003000
Anticipatory Warrant S	erved?	No Denial Dat	te Date Re	Entered	Date ReD	enied	ReEntered	
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				A 6	0	1/17/12	,	
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Opening Conference Walkaround	01/17/12		G (1)			. / / . / / . /	F15 3500 50000000 700	
pening Conference	1		Case Closed No Citations I	eonod.	<u> </u>	5/23/12	<b>'</b>	

Date

# **Inspection Report**

CSHO Signature

Rpt ID		Assignment 1	Ir.	CSHO ID	Supe	rvisor ID	Inspection N	r. O	pt. Insp. Nr.
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							<del></del>	<del></del>	
establishme					Paulsboro I			101 000	*****
Site Address		desboro Aver o, NJ 08066	nue			Site Phone	(856) 423-2	121   Site FAX	
Mailing		desboro Aver				Mail	(856) 423-2	000000000	
Address		o, NJ 08066	luc			Phone	(3-3)	FAX	
Controlling		<u>: , , , , , , , , , , , , , , , , , , ,</u>				Emplo	yer ID		
Corp							Taran		0.5
		Government	<del></del>			City	2520	Cour	ity 015
egal Entity				P	revious Acti	vity (State (	Only)		
				Dalas	ed Activity				
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pening Cor	nference	01/17/1			Second Clos	ing Confe	rence		
alkaround		01/17/1			Exit			01/17/12	
and the second second second	a.	1			Case Closed				
ays On Site	<u> </u>	**************************************			No Citations	Issued			
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Date

### NEW JERSEY DEPARTMENT OF HEALTH AND SENIOR SERVICES PUBLIC EMPLOYEES OCCUPATIONAL SAFETY AND HEALTH PROGRAM

#### NARRATIVE FORM

Paulsboro Volunteer Fire Department 316088327

12/20/11: Case received by PEOSH as an unsigned anonymous complaint. The case was later reclassified as a general programmed and assigned to me (P. Bost).

1/11/12: Conducted an unannounced visit to the Paulsboro Volunteer Fire Assoc., no one was present. Went to the municipal hall and met with business administrator and clerk, who attempted to contact the fire chief. During the visit I found out that the Paulsboro Fire Dept has two companies, the second is the Billingsport Fire Assoc. Visitited the Billingsport Fire station, no one present. Returned to office.

1/13/12: Spoke with Chief Liccardello and arranged an inspection date.

1/17/12: Inspection. Met with Chief Liccardello at the Paulsboro fire station. The chief explained that the two fire companies had been consolidated into the Paulsboro station; the Billingsport station is out of service although equipment is still stored there. I stated that I would visit the Billingsport station to confirm this. Inspection of the Paulsboro Fire Station:

Respiratory Protection- Respiratory protection program, fit testing, training (FF1) satisfactory. Equipment inspection found all SCBAs functioning with current hydrotests. Compressor grade E certification current (done quarterly). No violations noted.

Haz Mat- Haz mat training awareness training done by Robert Hill, with overlap into operations level. Possible need to upgrade to full operations training.

BBP- FF's included due to extrication duties. ECP reviewed and satisfactory. Hep B shot records unavailable, last recorded offering documented in 2003 (violation). PPE OK.

Haz Com- Housekeeping done by members. Haz com / RTK training conducted by Robert Hill. MSDSs and chem inventory available and satisfactory.

300A summary sheets- Kept at municipal hall and was not immediately available, was later faxed to me. Satisfactory.

#### **Billingsport Fire Station**

Conducted an inspection of the Billingsport Fire Station. The station personnel have been transferred to the Paulsboro station. Older apparatus and equipment is stored there, and the station is still used for social purposes. No apparatus have been used in over six months. Observed older SCBAs on the apparatus, the chief stated that they were out of service. I asked the Chief to remove them from the trucks and mark them out of service to prevent accidental use.

Note:

The anonymous complaint stated that untrained firefighters were using SCBA at fire calls. I inquired about this and was told of an incident in May/June 2011 where a partly-trained firefighter was ordered by an officer to don a PII\*\* was present and interviewed during the inspection. He stated that pack at a fire. The firefighter. he had not completed FF1 training due to his travelling for work. He stated that he had taken the SCBA part of the training, and it was noted that he had SCBA training as part of his environmental remediation work. The chief stated that the order was given in error as Mr. PII did not have enough training to don a pack and do interior firefighting. The Chief was warned that this is a potential violation; however a citation was not issued due to the expiration of the six-month statute of limitations.

### NEW JERSY DEPARTMENT OF HEALTH AND SENIOR SERVICES PUBLIC EMPLOYEES OCCUPATIONAL SAFETY AND HEALTH PROGRAM

# INSPECTION REPORT (INITIAL) OSHA 1

1. Inspection Number: 316088327	Complaint Type (i.e., IAQ-HVAC, Noise):
2a. CSHO ID: (Circle) C4835 15581 W22	54 Y8812 Y0622 X7315 H319
5. Related Activity Type Number:	
(A)Accident No. (C)Comp	laint No. (R)Referral No.
	- Padsbaco Voluntees Fre Assoc
8a. Site Street:	8a. Mail Street:
Attention: Chief Myll Lillardeho	
Attention: Chief Myle Liceardelio  Facility: Paul Saro Fire Assu	Facility: Same
Address: 1502 Swedestold Ava	Address:
City: Puly 500 State: Zip: C&t6.  Phone: 856. ** PII ** Fax:	City: State: Zip:
Phone: 85b. ** PII ** Fax:	Phone: Fax:
	rax.
Ownership: (check one only) [ [ (B) Local (	Government [ ] (C) State Government
19b. Entry Date: 19d. Opening C	onference Date: 19f. Walkaround Date:
1/11/12 1/17/	
19h. Closing Conference 1 Date: 19j. Closing Con	iference 2 Date: 19l. Exit Date:
26. Employed in Establishment: 30 27. Covered	by Inspection: 30 28. Controlled by Employer: 30
29. Union?: [ ] Yes [ ] No 35. Scope of Ins	pection: (Circle One Only)
44. Additional Citation Mailings?  (A)Comprehe	ensive (B)Partial (D)No Inspection 45. Union Information?
Attention: ** PII **	Attention: New C
Organization Name: Resort of Pauls 6000	Union/Local:
Address: 1211 Delawar St	Address:
City: Publishoo State: VI Zip: 08066	City: State: Zip:
City: Paulsboo State: VI Zip: O8066 Phone: 856-** PII** Ext:	Phone: Ext:
47. Employer Representative	47. Employer Representative (additional)
Name: Www Liceardelio	Name:
Name: Mile Licedello  Citle: Civil	Title:
Function: [A] (I) Credentials Presented A] (C) Closing Conference [A] (O) Opening Conference A[A] (M) Other Mgmt. Official	Function: [] (I)Credentials Presented [] (C) Closing Conference [] (O) Opening Conference [] (M) Other Mgmt. Official
Valkaround?: [44es or []No	Walkaround?: []Yes or []No

48. Other Persons Contacted	40.04 7
** PII **	48. Other Persons Contacted (additional)
Name:	Name:
Occupation: Fire Sish for	Occupation:
Address: ** PII **	Address:
City: <u>pa() 5 600</u> State: NJ Zip: <u>68066</u> Phone: <u>656</u> ** PII ** Ext:	City:State:Zip:
Phone: \$56- ** P11 ** Ext:	Phone: Ext:
48. Other Persons Contacted (additional)	48. Other Persons Contacted (additional)
Name: ** PII **  ** PII **	Name:
Occupation: Vicionia	Occupation:
Address: ** PII **	Address:
City: Pr. 15000 State: NJZip: 08066	City: State: Zip:
Phone: 856-** PII ** Ext:	Phone: Ext:
48. Other Persons Contacted (additional)	48. Other Persons Contacted (additional)
Name:	Name:
Occupation:	Occupation:
Address:	Address:
City:State:Zip:	City: State: Zip:
Phone: Ext:	Phone: Ext:
48. Other Persons Contacted (additional)	48. Other Persons Contacted (additional)
Name:	Name:
Occupation:	Occupation:
Address:	Address:
City:State:Zip:	City:State:Zip:
Phone: Ext:	Phone: Ext:

#### NARRATIVE REPORT OSHA 1A

Inspection Number: 316088327

inspection.

CSHO ID: W2254

# **COVERAGE INFORMATION**

NATURE AND SCOPE  Check Applicable Boxes and Explain Findings:  Complaint Items	NATURE AND SCOPE  UNUSUAL CIRCUMSTANCES (Mark X and Explain)  None [] Denial of Entry  Ispection [] Strike [] Trade Secrets  Indings [] Jurisdictional Issues  [] Delays in conducting the inspection  [] Other
<u>OPENIA</u>	NG CONFERENCE NOTES
RECORDKEEPING — Marx X as appropriate Copy of 300 Log (Must Have 1B Summary	Section) [Yes [] No
Supplementary Health: [ Yes [] No	Specify:
Poster: [ ] No	Location of Poster:
COMMENTS:	
WALKAROUND OBSER  OSHA EXPOSURE MONITORING - Mark X Performed? [] Yes [] No	RVATIONS/UNUSUAL OCCURRENCES  (as appropriate Sampled For?:
Full Shift/Screening: [] Yes [] No	Significant Delays? [] Yes[] No
If yes, explain:	
EMPLOYER'S OCCUPATIONAL HEALTH Is any sampling being performed? [ ] Yes	I PROGRAM/MONITORING PROGRAM - Mark X as Appropriate  [/] No
If yes, Describe: By Whom Me	thod Frequency
1. Were overexposures documented by the em	ployer? []Yes []No
2. Were results obtained by CSHO?	[]Yes []No
COMPLIANCE PROGRAMS - (engineering contr	ols, PPE, regulated areas, compliance plans, emergency procedures, etc.)
Address any relevant compliance efforts regar	ding potential health hazards covered by the scope of t

DOH1568

MEDICAL SURVEILLANCE PROGRAM	YES	NO
	F. E.O.	T V
Does the employer have a medical program?  Are any programs required by OSHA Health Standards?	-	-
Were any deficiencies noted on frequency, protocol, and/or records?		+
EDUCATION AND TRAINING PROGRAM	YES	NO
	V	140
Does the employer have an education and training program?  Are any programs required by OSHA Health Standards (other then the HAZCOM)?		+
Are any programs required by OSHA Health Standards (Other then the HAZCOW):		<del> </del>
Were any deficiencies noted on content, and/or frequency?	YES	NO
RECORDKEEPING PROGRAMS (other than 29 CFR 1904 requirements)	ELB	140
Does the employer have a recordkeeping program relating to any occupational health		
medical, training, respirator fit tests, ventilation measurements, etc.)?		<del> </del>
Are any programs required by OSHA health standards?	1	<del> </del>
Were any deficiencies noted on content, frequency, and/or access?  PERSONAL HYGIENE FACILITIES AND PRACTICES (showers, lockers, change rooms, etc)	YES	NO
	I EUS	110
Are any required by OSHA health standards?		
What Standards?		
Were any deficiencies noted?		-
What?	YES	NO
LABELING AND POSTING POLICIES AND PROCEDURES (other than 29 CFR 1901, 29 CFR 1904 and HAZCOM)	ILO	NO
Are any required by OSHA health standards?		1/
What standards?		
Were any deficiencies noted?		
What?		
HAZARD COMMUNICATION PROGRAM (HAZCOM)	YES	NO
Written program complete		1
MSDS's (all)		
Labeling (adequate)		1
Training (complete)		1
Copy MSDS's/Program attached		1
OTHER	YES	NO
Access to exposure and medical records? AFE WORKPRACTICES?		
Fire protection and evacuation procedures?		1
Systems safety and emergency response?		1
Respiratory Protection?		_
Lockout/tag out electrical safe work practices?		1
First Aid		/
Electrical safe work practices?		/
Exposure control plan?		1
Laboratory Standard?		,
Ergonomic Problems?		
If YES, complete the Items 1 and 2 below.		
1. Lifting (10% or more similarly exposed employees injured) a. Total # of employees exposed to job: b. Total # of cases for job:		

2. CTD's (10% or more similarly exposed employees have CTD's; 5% or more CTD's	 	
cases)		
a. Total # of employees exposed to job:		
b. Total # of cases for job:		
Other significant injury/illness trends?		
If VFS, please explain:		
EVALUATION OF EMPLOYER'S OVERALL SAFETY AND HEALTH PROGRAM	YES	NO
Employer has a Safety & Health Program.		<del> </del>
Written.		
Copy Attached.		
Accident Prevention Program.		-
Written.		
Copy Attached		

# EVALUATION OF SAFETY AND HEALTH PROGRAM

(0=Nonexistent, 1=Inadequate, 2=Average, 3=Above Average) – If CSHO finds that the scores are inadequate then a recommendation for a Safety & Health Program and/or Joint Labor Management Safety & Health Committee should be made.

Written S & H Program	0	1	(2)	3
Communication to Employees	0	1	(2)	3
Enforcement	0	1	2	3
Safety Training Program	0	1	2)	3
Health Training Program	0	1	127	3
<b>Accident Investigation Performed</b>	0	1	(2'	3
Preventive Action taken	0	1	2	3

### **CLOSING CONFERENCE NOTES:**

1. Were any unusual circums	tances encountered such as, but not limit	ed to, abatement and/or negative
employer attitude? [ ] Yes		

2. If YES, please explain.

# CLOSING CONFERENCE CHECK LIST (Mark X as appropriate)

1.	No Violations Observed.	[ ]
2.	Questioned Whether Asbestos Work Was Performed.	
3.	Gave Employer Copy of the Act.	
4.	Discussed All Employer Rights and Obligations	
5.	Reviewed Hazards Observed/Standards Allegedly Violated.	
	Encouraged Informal Conference.	
7.	Offered Abatement Assistance.	
8.	Discussed HAZCOM Program.	[7
9.	Discussed Consultation Programs	

CLOSING CONFERENCE HELD WITH EMPLOYEE REPRESENTATIVE

[ ] Jointly [ ] Separately

# NEW JERSEY DEPARTMENT OF HEALTH & SENIOR SERVICES OCCUPATIONAL HEALTH SERVICE PUBLIC EMPLOYEES OCCUPATIONAL SAFETY & HEALTH (PEOSHA)

### ATTENDANCE SHEET

DATE/TIME: 1/M/12 10.15 am

	LOCATION:	thuse suco Fre De	AT	
	PURPOSE:	704		
#	NAME	PHONE NUMBER	TITLE	ORGANIZATION
1	**PII**	609-** PII **	Euxpertic	PROTH
	Opening Conference Yes No	Walk Around Yes No	Closing Conference Yes No	
2	**PII**	605. ** PII **	Chief	PFO
	Opening Conference Yes No	Walk Around Yes ✓ No	Closing Conference Yes  No	
3	** P I I **	(656) ** PII **	Firefighter	PFO
	Opening Conference Yes V No	Walk Around Yes No	Closing Conference Yes No	
4				
5	Michael A. Lico	ciardello – Chief	Kathy A. VanScoy	RMC, CMC, CMR Borough Clerk  1211 Delaware Street
	PAULSBORO FIRE DEPA 1502 Swedesboro Avenue • Paulsbo	<b>RTMENT</b> $d$ $(:($		Paulsboro, NJ 08066 www.paulsboronj.org
6	Fax: (856) 423-2887 Cel	e: (856)    ** PII **    (609)    C	Email:	(856)423-1500 Fax: (856)423-9117
7				
	Opening Conference Yes No St	JOHN S.	SALVATORE Administrator	
8	Yes No	Chief F	inancial Officer	
	Opening Conference Yes No States	Pau	lsboro, NJ 08066	
9	Yes No Silver		(856)423-1500 56)423-9117 Fax 09)	
1	Opening Conference Yes No	**	PII** nce	

# New Jersey Department of Health and Senior Services PEOSH Program

### OSHA 1B Form (Worksheet)

<b>CSHO</b> W2254	Inspection 1	Number 316088327
Number of Emp	oloyees Exposed to	Number of Instances of the Violation
Type of Violation	Serious	Date of Inspection January 11 & 17, 2012
Citation Number	1	Item Number 1s
ETT (1) Palety a transfer of Locality	CFR 1910.120(q)(6)(ii)	
Abatement Peri Abatement Due	od: Number of Calen	dar Days or Date 45 days

Abatement Due 45 days
Description of Citation/Additional Information:
Employees did not receive training based on the duties and functions to be performed by each employee during a hazardous materials operation.
Loc: Facility Wide
Employees did not receive first responder operations training or demonstrate competency annually.
Hazard: PEOSH has determined that all firefighters are required to have Haz Mat Operations training due to their potential exposure to hazardous materials at fire calls.
Employee Exposure: Firefighters ** PII ** and ** PII ** are representative of the firefighters who may be exposed to hazardous materials at fire calls.
Employer Knowledge: During the inspection, Chief Liccardello stated that he was aware of the haz mat training requirement and has trained his personnel to awareness level. He was not aware of the requirement that firefighters have operations level training.

#### New Jersey Department of Health and Senior Services PEOSH Program

#### OSHA 1B Form (Worksheet)

CSHO	W2254	Inspection Nun	aber	316088327
Numbe the Haz	r of Employees ard	Exposed to 20		Number of Instances of the Violation
Type of Violatio		ous	Date of Inspecti	<b>on</b> January 11 & 17, 2012
Citation Number	<b>数据的基础的</b> 是 1		Item N	umber 2s
Standar	r <b>d</b> 29 CFR 191	0.1030(h)(1)(ii)(B	5)	
	ent Period: Nu ent Due	mber of Calendar	Days or Date	45 Days

Description of Citation/Additional Information:

The medical record for an employee with occupational exposure did not include a copy of the employee's hepatitis B vaccination status, including the dates of all the hepatitis B vaccinations or any medical records relative to the employee's ability to receive vaccination as required by 29 CFR 1910.1030(f)(2).

Loc: Facility Wide

Hepatitis B vaccination records were not available for Firefighters who are occupationally exposed to bloodborne pathogens.

Hazard: Firefighters may be exposed to bloodborne pathogens while conducting extrications from vehicular accidents.

Employee Exposure: Firefighters \*\* PII \*\* and \*\* PII \*\* are representative of the firefighters who may be exposed to bloodborne pathogens at fire calls.

Employer Knowledge: During the inspection, Chief Liccardello provided hep B vaccination records from 2003 but stated that there are no recorded offerings after that.

#### **Serious Penalty Calculation**

Paulsboro Fire Department
Paulsboro Fire Association #1
1502 Swedesboro Avenue
Paulsboro, NJ 08066

Inspection: 316088327

#### Citation 1, Items 1s & 2s

**Gravity Based Penalty:** 

Severity: Medium Injuries or		Injuries or temporary reversible injuries, resulting in hospitilization or a limited period of disability.
Probablity:	Lesser	Likelihood of injury or illness is relitively low.
Medium/Lesser	\$4,000	

**Adjustment Factors:** 

Size (SF):	0.70	26 to 100 employees	
Good Faith (GFF):	0.85	15%-documentable and effective safety and health program, but with more than incidental deficiencies	
History (HF):	1.00	No reduction shall be given to employers who have no PEOSH inspection history inthe past five years, or for employers who have been cited by PEOSH for any serious citation other than a High/Greater gravity based penalty in the past five years.	

Penalty:

Perdiem Penalty:	\$2,380
Abatement Date:	2/22/12
Total Accrual (Days):	0
Accrued Penalty to Date:	\$0

This penalty was arrived at using the PEOSH Procedure for Enforcement. This gravity based penalty was derived using the following formula:  $(((GBP \times HF) \times GFF) \times SF) = Penalty/day$ 

OSHA'S FORM 300A Summary of Work Related Injuries and Illnesses

Year ZOII

U.S. Department of Labor DOZUMBILITED BEFELT ATT MITELLY AND INTEREST.

ALL LITERITIES COVERED BY PART 15th well respect from Summer Addit, over 11 no someticate defects or literate occurred finite the year. Senseber to randow the terminal view to contrast are negotial one contrast affect described their reserve. Listed can been equal too deficient entropy and has been national. This wells one course belong action course the fact of the last of the

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Year \_ 2010

U.S. Department of labor Occupational Salaty and Marita Administration

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Employees, ferman employees, and their representatives have the right to review the Chips. Form 188 in its antiraty. They size have limited scenas to the CSM Form 531 or its equivalent, See 29 CFR part 1994, 26, in CSM's recordence rule, for durther datails on the mosses provisions for these forms.

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(3) Respiratory conditions

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Post this summary page from February 1 to April 30 of the year following the year covered by the form.

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#### OSHA!S FORM 300A Summary of Work Related Injuries and Illnesses

DOH1 57

Year 2009

Establishment information

U.S. Department of Labor Official and Highly and Highly and Highly Auditments

Extlaction forther projected, and Disference and Di	Veur establishmen and TRIJIF-PAULSBORD
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U.S. Department of Labor Decaypational Safaty and Health Administration

All actablishments covered by Part 1940 must complete this Sundary sage, even if no work-related injuries or lithestes occurred during the year. Remander to review the Log to verify that the entries are complete and accurate before completing this sunmary.

Using the log, count the individual entries you nade for each patagory. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "(, "

Employees, former employees, and their representatives have the right to review the OSHA form 500 in its entirety. They also have limited ecoess to the OSHA form 501 or its equivalent. See 29 CFR Part 1804.55, in OSHA's recordscaping rule, for further details on the general provisions for these forms.

Potal number of deaths	Total number of cases with days away from york	Total number of cases with job transfer or restriction	Total number of other recordable cases
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(2) Skin disorders

(3) Respiratory conditions

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Your detablishment hane TRIJIF-PAULSBORO
****
street 1121 DELAMARE STREET
City PAULSBORO StateNJ zip 08066
Industry description(e.g., Manufacture of notes truck trailers)  LOCAL Government
Standard industrial classification(SIC), if known(e.g., SIC 3715)
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Employment Information (If you jon't have takes figures, see the Aackshaat on the back of this page to estimate.)
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עווש דטק קשטיטו

1211 Delaware Street
Paulsboro, NJ 08066
Phone: 856 PII \*\*
Fax: 856jsalvatorc PII \*\*

# Borough of Paulsboro

# Fax

To: Pa	trick	DOST	 From:	John S. Salvatore, A	Administrator
Fax: <b>60</b>	9 ** P ]	[ I **	Date:	1-20-12	
Phone:			Pages:	5	
Re: OSHA	1 loss For	m 300A	CC:		
Urgent	☐ For Review	☐ Please Con	nment	□ Please Reply	□ Please Recycle
•Comments:					
-0R	2009-	10 -1	1-/	2_	
	ream	J137			



# New Jersey Department of Health and Senior Services Right to Know Program

# COMPLIANCE SCREENING REPORT

NJEI	N Number (11 digits):
Name	of Employer: Addisaco Francisco
Name	of Employer Representative/RTK Coordinator: Mare Lice Cocio
	none #: ( ) 856 ** PII **
Street	Address: ** PII ** City/Town:
	NO violations of the Worker and Community Right to Know Act were noted.
The fo	ollowing violations were noted during the screening inspection:
	Survey – Failure to report chemicals present List example & location of violation:
	Labeling – Failure to label containers with the chemical names and CAS# of the top five ingredients.  List example & location of violation:
	Poster - Failure to post the Right to Know Poster at the facility
The continue for the stage agency.	Central File -  No Central File present
	Central File did not contain  RTK Survey & Updates Material Safety Data Sheets RTK Hazardous Substance List* RTK Hazardous Substance Fact Sheets*
1	*Electronic access to the RTK website in lieu of hard copies for these items is acceptable.
	** PII ** DOH1580

To Whom It May Concern,

I have stood back and watched in horror for way to long and before someone gets really hurt I am forwarding this to you as I have a number of concerns for the safety of the firefighter members of the Paulsboro Fire Department

There are young fire fighters who have had no Firefighter I training and are permitted to wear air packs and fight fires. Attached picture number 1 & 2 shows one of those fire fighters with a pack on, but has not been SCBA certified. Individuals entering hot zones with no SCBA protection (Attached picture 3). Officers who should be leading by example enter hot zones with no SCBA protection (Attached picture 4).

In many instances Chief Officers are found to be wearing little to no gear while at incidents. (Attached pictures 5, 6 and 7). The captain and one of the chief officers just obtained their ICS 300 and 400 in 2011. The Chief Officer had been chief many years back and has held other officer positions in the not too distant past that should have required those courses to be completed prior to 2011.

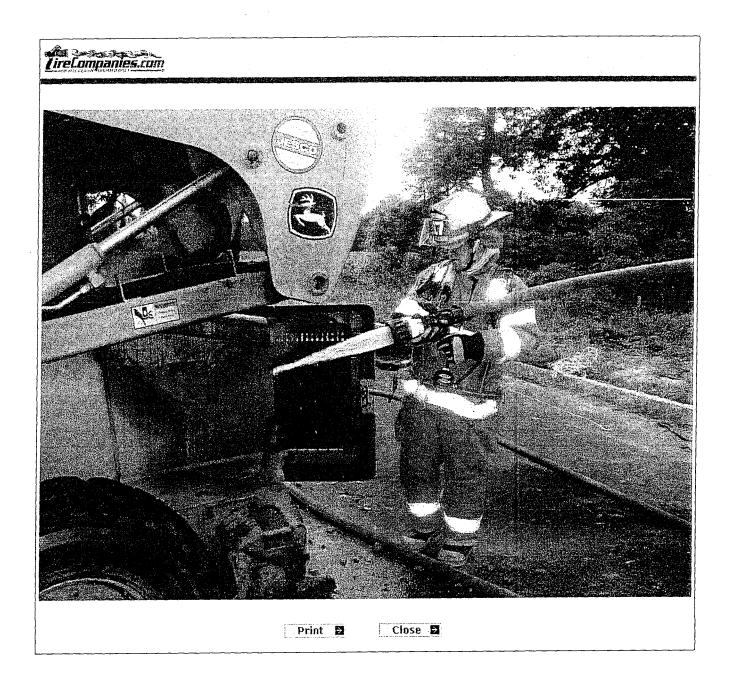
Medical - There is one fire fighter who was exposed to blood borne pathogens during a drill in 2010 and has been told that the incident will be documented, however this matter is still unresolved. There appears to be no written Exposure Control Plan nor anyone assigned the duties of Exposure Control Officer. Required physicals for department personnel have not been done for almost 2 years. One fire fighter was taken to the hospital from the scene of a fire for a diabetic emergency earlier this year and department documentation on that incident was in all probability never completed.

There are many equipment issues, portable radios on the trucks that do not work, truck maintenance that is little to none, poor tire conditions on trucks, CO meters that don't work when needed, and other equipment in desperate need of attention. Also when new equipment is brought in to service there is no training given to familiarize users with this equipment. Example: new gear with GEMTOR bailout Harnesses are being purchased, however the department has had no bail out training.

There are many more pictures of incidents such as those noted that can be found on the Paulsboro Fire Department website. <a href="www.paulsborofire.com">www.paulsborofire.com</a>

Cc:

Paulsboro Public Safety Committee N.J. Division of Fire Safety PEOSH

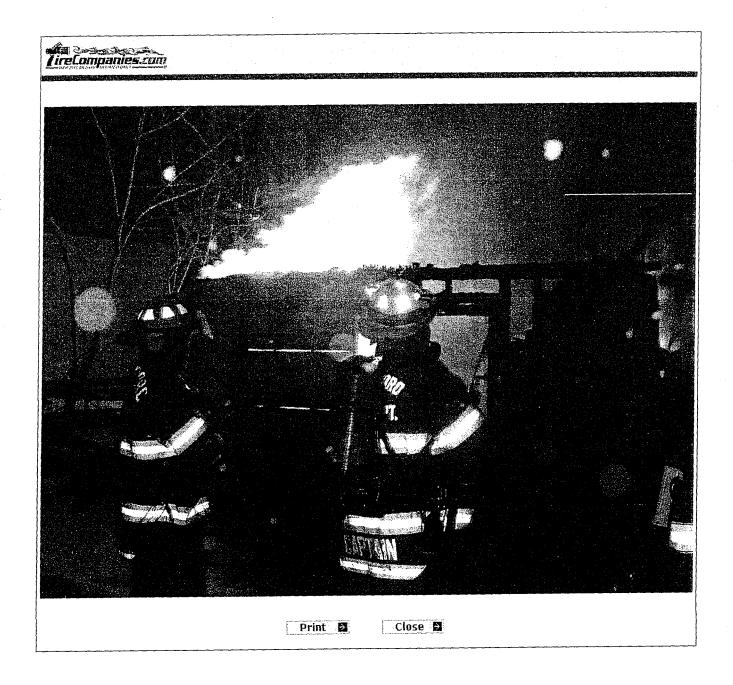


Fire in East Greenwich on June 1, 2011. Fire fighter with no Fire Fighter 1 training in SCBA



Fire in East Greenwich on June 1, 2011. Fire fighter with no Fire Fighter 1 training in SCBA

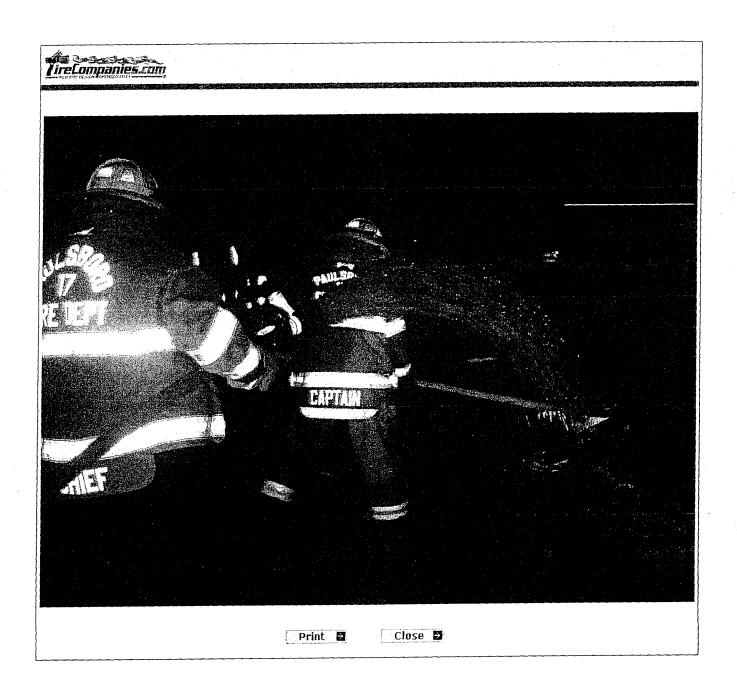




Garage Fire on Berkley Road, January 17, 2011. A Fire fighter with no Fire Fighter 1 training, no SCBA protection standing in hot zone.



Garage Fire on Berkley Road, January 17, 2011. Chief Officer, tool in hand and about to open what is left of a door with no SCBA protection



March 3, 2011

Garage Fire on Nassau Avenue. Chief Officer, with just a coat, helmet and gloves. No leg/foot protection